

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY DICKERSON,

Plaintiff,

v.

KEVIN RUETER, et al.,

Defendants.

No. 2:24-cv-00919 SCR P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On April 17, 2025, the undersigned screened plaintiff's complaint and determined it failed to state claims upon which relief may be granted. (ECF No. 13.) Plaintiff was given the option of filing an amended complaint. (*Id.* at 5.) He was further advised that his failure to file an amended complaint would result in a recommendation that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (*Id.*)

On April 29, 2025, the screening order was returned by the U.S. Postal Service. (*See* Docket.) Under Local Rule 182(f), a pro se party is under a continuing duty to notify the Clerk of the Court of any change of address. Absent such notice, service of documents at the prior address of the pro se party shall be fully effective. (*Id.*) If a pro se plaintiff fails to notify the court of a current address within thirty (30) days after mail directed to that plaintiff is returned, the court may dismiss the action without prejudice for failure to prosecute. Local Rule 183(b).

1 The time for plaintiff to notify the court as to how he wishes to proceed has now passed,
2 and plaintiff has not made an election or otherwise responded to the order. Nor has plaintiff
3 provided an updated address as required by Local Rule 183(b).

4 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly
5 assign a United States District Judge to this action.

6 IT IS FURTHER RECOMMENDED that plaintiff's complaint be dismissed for failure to
7 state a claim upon which relief can be granted, 28 U.S.C. § 1915A(b)(1), and failure to prosecute,
8 Local Rule 183(b).

9 These findings and recommendations are submitted to the United States District Judge
10 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days
11 after being served with these findings and recommendations, plaintiff may file written objections
12 with the court. Such a document should be captioned "Objections to Magistrate Judges Findings
13 and Recommendations." Plaintiff is advised that failure to file objections within the specified
14 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
15 (9th Cir. 1991).

16 DATED: July 11, 2025

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19 SEAN C. RIORDAN
20 UNITED STATES MAGISTRATE JUDGE
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